

8 when the two closure members are moved together so as to close the aperture, the third electrical
9 contact mates with both the first and the second electrical contacts so as to complete an electrical circuit
10 between the first and second electrical contacts; and
11 an RFID transceiver which transmits an alarm signal after said device detects the aperture has
12 ~~been opened~~.

REMARKS

Claims 15-46 are now pending.

Newly added claim 46 is identical to claim 15 in U.S. Patent 5,646,592, which is the immediate parent of the present application, except that the recitation of "the third magnetic contact" has been changed to "the third electrical contact". Newly added claim 46 is believed to be allowable for the same reasons that claim 15 in patent 5,646,592 was allowed.

Claims 15-24 stand rejected over Applicant's U.S. Patent 5,406,263 under the judicially-created, non-statutory doctrine of obviousness-type double patenting. Claims 25-45 stand rejected over Applicant's U.S. Patent 5,646,592 under the judicially-created, non-statutory doctrine of obviousness-type double patenting. Applicant intends to submit a terminal disclaimer to overcome these rejections. However, because a terminal disclaimer must be directed to the entire patent to be granted (37 CFR 1.321(b)), rather than being limited to specific claims, and because the Examiner has rejected some claims over the '263 patent and other claims over the '592 patent, Applicant wishes to defer submitting the terminal disclaimer until after the Examiner has examined newly added claim 46.

Depending on whether the Examiner allows claim 46, or whether the Examiner rejects claim 46 for non-statutory, obviousness-type double patenting over the '263 patent, the '592 patent, or both, Applicant may desire to cancel the claims rejected over one patent and submit a terminal disclaimer relative to only the other patent.

Respectfully submitted,



Robert J. Stern
Attorney for Applicant
Registration no. 29,703
Tel. (650) 322-5990